

REMARKS**I. INTRODUCTION**

Claim 67 has been amended. No new matter has been added. Thus, claims 1, 18, 20, 23-27, 66 - 69 remain pending in the present application. The applicant thanks the Examiner for granting an interview in this matter and explaining his positions with respect to the rejections. In view of the interview discussion, the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. § 102 REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claim 67 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,624,329 to Schneebeli ("Schneebeli"). *Office Action*, ¶ 1, page 2. Schneebeli teaches a matched pair of golf clubs designed for putting and chipping which have identical heads with identical shafts and grips except that one head has a striking face for putting and one head has a striking face for chipping. *Schneebeli*, Abstract.

The Examiner stated that the alignment feature recited in claim 67 was taught by Fig. 4 of Schneebeli. *Office Action*, ¶ 1, page 2. As described in the interview with the Examiner, the present invention includes an alignment feature which prevents rotation of the head relative to the other portions of the golf club during assembly. The specification fully describes the functionality of the alignment feature:

Alignment feature 118 insures that every time the head 104 is connected to hosel-shaft-grip portion of putter 100, the orientation of the head 104 is consistent with the orientation of the various features of the grip 110, the shaft 102 and hosel 108 that assist the player in aligning the head 104 with the ball. *The assembly of the putter 100 is therefore simplified, since the components cannot be assembled incorrectly, and no additional steps for checking the alignment of the head and hosel-shaft-grip are required.*

Specification, ¶ [0054] (emphasis added).

Claim 67 has been amended to recite this feature in more detail, *i.e.*, "an alignment feature preventing the head from rotating relative to the hosel and the shaft, the alignment feature including a shaped portion of the hosel insertable into a complementing shaped opening of the head."

As described to the Examiner in the interview, the prior art clubs, including Schneebeli, have a round hosel (or shaft) that is inserted into a round hole. *Schneebeli, Figs. 4-7.* Thus, the head may rotate relative to the remainder of the club until the head is mechanically fastened, *e.g.*, glue, epoxy, weld, compression fit, etc., to the hosel. These prior art clubs also require some sort of assembly tool such as a jig or a laser alignment tool to ensure that the head is in the proper location relative to the hosel-shaft-grip before the mechanical fastening is applied. In contrast, the alignment feature of the present invention allows that as soon as the hosel is inserted into the head, the head cannot rotate relative to the remainder of the club because the alignment feature prevents such rotation.

Accordingly, the Schneebeli reference fails to teach or suggest "an alignment feature preventing the head from rotating relative to the hosel and the shaft, the alignment feature including a shaped portion of the hosel insertable into a complementing shaped opening of the head," as recited in claim 67. Thus, the applicant respectfully requests the Examiner to withdraw the rejection of claim 67.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claims 67 and 68 under 35 U.S.C. § 103(a) as obvious over Schneebeli in view of U.S. Patent No. 5,165,688 to Schmidt et al. ("Schmidt"). *Office Action, ¶ 2, page 3.* As described above, Schneebeli does not teach all the elements of claim 67 (from which claims 68 and 69 depend. Again, as described to the Examiner in the interview, Schmidt does not cure the defects described above for Schneebeli. In particular, Schmidt teaches

a circular cross section bore with a taper that appears to make the hosel oval after it is inserted. However, as shown to the Examiner, the insertion piece (hosel and/or shaft) is round, but is cut at an angle to give the appearance of it being oval. A straight cross section of the hosel remains round. Thus, Schmidt suffers from the same defects as all the other prior art, the head can rotate relative to the remaining club until it is fastened by some other means. Accordingly, applicant respectfully submits that claims 68 and 69 are allowable over Schneebeli and Schmidt, either alone or in combination.

The Examiner has rejected claims 1, 18, 23, 24 and 66 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,116,054 to Johnson ("Johnson") in view of U.S. Patent No. 1,677,099 to Harness ("Harness"): *Office Action*, ¶ 3, pages 4-5. Johnson discloses a putter which has a right hand ball striking surface and a left hand ball striking surface, each having a sweet spot with a centroid. *Johnson*, col. 6, lines 7-17. The centroids lie on a straight horizontal line that passes through the center of percussion of the head which is embedded within the body of the head. *Id.* at col. 6, lines 18-20. The centerline of the shaft intersects the center of percussion which is in the middle of the head. *Id.* at col. 6, lines 32-35.

Harness discloses a golf club, more particularly a handle that fits "snuggly" into a player's hands and simultaneously provides a firm grip. (*Harness*, page 1, lines 3-6). The club consists of a shaft and a head, which is "fastened preferably by shrinking on" and "reinforced by winding around it a coil of cat-gut." (*Id.*, page 1, lines 24-33). Harness was cited to teach the grip element of the rejected claims. *Office Action*, ¶ 3, pages 4.

Independent claim 1 of the present invention recites a putter which includes "an alignment feature of the putter permitting assembly of the head onto the hosel only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common." As described to the Examiner in the interview, the centerline of the shaft in Johnson does not pass through the striking face of the putter, but rather passes through a point that lies within the body of the head and not on a striking face of the head. *Johnson*, col. 6, lines 32-35; Figs. 7-11. The Johnson figures show the center of percussion as being in the middle of the head. Thus, Johnson neither teaches nor suggests a putter where the centerline of the shaft passes through the striking face of the putter as recited in claim 1.

During the interview, the Examiner stated that he was concerned that the term striking face could be interpreted as the entire head (or some other location than the surface of) the putter. Thus, the Examiner requested that an amendment be made to recite "a surface of the striking face." After further review, the applicant believes that this amendment is not necessary for the following reasons. The applicant has described the striking face in great detail throughout the specification as the surface portion of the head which strikes the ball. *Specification*, ¶¶ [0025] - [0028]; [0042]; [0055] - [0058]; and Figs. 2-4 and 9. Thus, the specification makes clear that the striking face is on the surface of the head and describes this surface in great detail. While one could argue that a player could strike the ball with any surface of the head, this would not be proper use of the club nor would it be consistent with taking a proper stance and/or strike. One of ordinary skill in the art and, in fact, a casual player, will understand what is meant by the striking face of the putter. Moreover, applicant believes that adding the term "a surface" of the striking face will make the claim unclear. As shown by the description, the striking face is a surface of the head, thus, applicant believes it would be more unclear to claim a surface of a surface. Accordingly, applicant believes the claim is allowable as written and therefore did not amend the claim as discussed in the interview.

As Harness teaches a grip for a golf club, it does not cure the deficiencies described above with reference to Johnson. Thus, it is respectfully submitted that Johnson and Harness, taken alone or in combination, neither teach or suggest a putter which includes "an alignment feature of the putter permitting assembly of the head onto the hosel only in an operable position wherein *a centerline of the shaft and the striking face of the head have at least one point in common*" as recited in claim 1. Applicant respectfully submits that independent claim 1, as well as claims 18 and 66, which depends from claim 1, are allowable for at least the above stated reasons.

Applicant respectfully submits that independent claim 23 contains similar limitations as claim 1. In particular claim 23 recites a putter system for assisting a golfer in completing a putt, the system including "an alignment feature adapted to precisely align the head with the shaft, wherein the alignment feature permits assembly of the head onto the hosel only in an operable position wherein *a centerline of the shaft and the striking face of the head have at*

least one point in common." Thus for at least the reasons described above with respect to claim 1, claim 23 is also allowable. Furthermore, it is respectfully submitted that claim 24 is allowable because it depends from claim 23.

The Examiner has also rejected claim 20 and 25-27 under 35 U.S.C. § 103(a) as obvious over Johnson and Harness in view of U.S. Patent No. 3,075,768 to Karns (hereinafter "Karns") in further view of U.S. Patent No. 3,679,207 to Florian (hereinafter "Florian") and in further view of U.S. Patent No. 5,489,097 to Simmons (hereinafter "Simmons"). The Examiner cites these references in addition to Johnson and Harness because they disclose varying systems and devices of establishing a proper weight balance in the golf club or putter. (*Office Action*, ¶ 4, page 5-6). However, Karns, Florian, and Simmons fail to cure the deficiencies of Klein and Harness because they do not teach an alignment feature of the putter which permits assembly of the head onto the hosel only in an operable position wherein *a centerline of the shaft and the striking face of the head have at least one point in common*. Thus, it is respectfully submitted that neither Johnson, Harness, Karns, Florian, or Simmons, taken alone or in combination, anticipate or render obvious a putter having an alignment feature which permits assembly of the head onto the hosel "only in an operable position wherein a centerline of the shaft and the striking face of the head have at least one point in common" as recited in claims 1 and 23. Therefore, it is respectfully submitted that claim 20 is allowable because it depends from claim 1 and claims 25-27 are also allowable because they depend from claim 23.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: October 12, 2005

By: 

Michael J. Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Tel: (212) 619-6000
Fax: (212) 208-6819